



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 31, 1995

Mr. Richard J. Ybarra
Open Records Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR95-1156

Dear Mr. Ybarra:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 36074.

The Office of the Attorney General (the "attorney general") received a request for information relating to outstanding warrants issued by the attorney general. You assert that the names and addresses of the recipients of warrants issued in child support enforcement cases is excepted from disclosure under section 552.101 of the Government Code. You have submitted to this office sample documents responsive to the request for review.¹

Section 552.101 excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This exception encompasses information made confidential by specific statutes. Section 76.006 of the Human Resources Code provides that "[e]xcept as provided in Subsection (c), all files and

¹In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Gov't Code § 552.301(b)(3) (governmental body may submit representative samples of information if voluminous amount of information was requested); *see also* Open Records Decisions Nos. 499 (1988), 497 (1988) (where requested documents are numerous and repetitive, governmental body should submit representative sample; but if each record contains substantially different information, all must be submitted). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

records of services provided under this chapter, including information concerning a custodial parent, noncustodial parent, child, and an alleged or presumed father, are confidential." Subsection (c) allows the attorney general to use or release such information for purposes directly connected with the administration of the child support, paternity determination, parent locator or aid to families with dependent children programs. Sections 76.002 and 76.004 provide the attorney general with the authority to create and provide child support, parent locator or paternity determination services. You have indicated that the names and addresses of the warrant recipients is information from the files and records of the child support division, maintained in connection with child support enforcement services. We find, therefore, that this information is confidential under section 76.006 of the Human Resources Code. *See* Open Records Decision No. 417 (1984) (names and addresses of parents paying and receiving child support confidential under statutory predecessor to Hum. Res. Code § 76.006).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'RWSA', with a long horizontal line extending from the end.

Robert W. Schmidt
Assistant Attorney General
Open Records Division

RWS/rho

Ref.: ID# 36074

Enclosures: Submitted documents

cc: Ms. Joan M. Melekian (via facsimile (407) 644-5986)
(w/o enclosures)